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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/934,338 | 08/21/2001 | William J. Purpura | 7784-000290 | 7875 |

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02/10/2005

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| EXAMINER |
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HU, JINSONG

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| ART UNIT | PAPER NUMBER |
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2154

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/934,338

Applicant(s)

PURPURA, WILLIAM J.

Examiner

Jinsong Hu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/14/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 are presented for examination.
2. Claim 1 is objected to because there is a typo [i.e., last sentence lacks of a period]. Correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brotherston (WO 00/63806), in view of Arazi et al. (2001/0041594).
5. As per claims 1, 7 and 11, Brotherston teaches the invention substantially a claimed including a network architecture for blocking access to pay per use Internet services [abstract] comprising:
 - at least one server that delivers the Internet services [p. 6, lines 28-30];
 - a connection sharing computer [14, Fig. 1; p. 11, lines 20-22] in communication with the server, wherein the connection sharing computer receives the Internet services [p. 6, lines 25-27; p. 14, line 28 – p. 15, line 9];

at least one network device comprising an Internet Protocol address [11a-c, Fig 1], the network device in communication with the connection sharing computer, wherein the connection sharing computer provides the Internet services to the network device [p. 9, line 28 – p. 10, line 9; p. 14, line 28 – p. 15, line 9].

6. Brotherston also discloses the step of verifying a user when the user attempts to access the network, and the network accessing may be blocked [p. 11, lines 4-7; p. 22, lines 15-25]. Brotherston does not specifically disclose a step of pinging the network device to determine presence of the network device. However, Arazi on the other hand teaches a method including the step of pinging a network device to determine presence of the network device [paragraph 17 and 19]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Brotherston and Arazi because doing so would improve the quality of the service by aware of a new user once he/she connecting to the network and providing relevant service to him/her. One of ordinary skill in the art would have been motivated to modify Brotherston's system with Arazi's pinging step to improve the performance of the system.

7. As per claim 2, Brotherston teaches a router in communication with the server to manage data flow between a plurality of networks [17, Fig. 1].

8. As per claim 3, Brotherston teaches a local mini-hub, wherein the connection

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sharing computer communicates with the network device through the local mini-hub [p. 6, lines 23-25].

9. As per claims 4 and 5, Brotherston teaches the Internet Protocol address of the network device is dynamically assigned or statically assigned by the connection sharing computer using dynamic host configuration protocol [p. 5, lines 14-16].

10. As per claim 6, Brotherston teaches providing access to the server for the external Internet device by connection sharing computer [19, Fig. 1].

11. As per claims 8 and 9, Brotherston teaches the plurality of network devices communicate with one another through the Internet Protocol addresses, thereby forming a local network and communicate with one another using TCP/IP protocol [p. 11, line 20 – p. 12, line 8].

12. As per claim 10, Brotherston teaches the Internet Protocol addresses of the network devices are not detectable by external Internet devices [p. 11, lines 20-30; i.e., a new host address is used during the trip].

13. As per claims 12 –18, since they are device claims of claims 1-11, they are rejected for the same basis as claims 1-11 above.

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14. As per claims 19-20, since they are method claims of claims 1 and 7, they are rejected for the same basis as claims 1 and 7 above.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Hutcheson et al. (US 2002/0068592) discloses a communication system;

Blumenau et al. (US 2002/0083339) discloses an network accessing control system;

Muxlow et al. (US 6,438,468) discloses an aircraft communication system; and

Ku (US 6,480,590) discloses a pay phone system.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

February 4, 2005



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100